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09/668,700

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EXAMINER

USTARIS, JOSEPH G

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

08/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/668,700

Applicant(s)

KIM, JOACHIM

Examiner

Joseph G. Ustaris

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2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 75-87 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 75-87 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 5, 2007 has been entered.

Claim Objections

2. Claims 78-81 and 85 are objected to because of the following informalities:
- Claims 78-81 and 85 recite "The media content transformer" while other dependent claims recite "The transformer". The examiner suggests using consistent language throughout the claims.
 - Claim 78 depends on canceled claim 74. The examiner will assume that claim 78 depends on claim 75.

Appropriate correction is required.

Claims 78-81 and 84-86 are objected to under 37 CFR 1.75.

- Claim 78 recites the limitations "the media content transformer" and "said media content transformer" in lines 1 and 3. There is insufficient antecedent basis for this limitation in the claim.

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- Claim 79 and 85 recites the limitations "the media content transformer" and "the time-sequence of digital frames" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.
- Claim 80 recites the limitation "the media content transformer" in line 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 81 recites the limitation "the media content transformer" in line 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 84 recites the limitation "said media content transformer" in line 3. There is insufficient antecedent basis for this limitation in the claim.
- Claim 84 is objected to as being a substantial duplicate of claim 78
- Claim 85 is objected to as being a substantial duplicate of claim 79.
- Claim 86 recites the limitations "said data storage device", "said at least one media content block", and "said media content identifier" in lines 1-3. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 86 is rejected under 35 U.S.C. 102(b) as being anticipated by Ottesen et al. (US005930493A).

Regarding claim 86, Ottesen et al. (Ottesen) discloses a network (See Figs. 2-3) comprising:

a plurality of servers (See col. 8 lines 28-33, distribution resources provided at a plurality of sites) including at least one distribution server (See Fig. 3, 30) coupled to said data storage device (See Fig. 3, 40) and adapted to retrieve said at least one media content block (See Figs. 5 and 6) based upon said media content identifier (See col. 9 line 60 – col. 10 line 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 75-85 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of Shirakawa et al. (US006539164B2).

Regarding claim 75, Ottesen et al. (Ottesen) discloses a transformer (See Fig. 3, 30) comprising:

a converter (See Fig. 3, 33) including an input for receiving media content (multimedia programs) formatted according to at least one of a plurality of media

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formats (See col. 7 lines 25-67), said converter providing at least one media block corresponding to at least a portion of said media content (See Figs. 5 and 6; col. 9 lines 25-45), said converter providing a corresponding media block identifier (address identifier) for said at least one media block (See col. 9 line 60 – col. 10 line 10);

a storage managing unit (See Fig. 3, 40) coupled to said converter to receive said at least one media block and said at least one media block identifier, said storage manager providing a corresponding storage address (address table) for said at least one media block (See col. 10 lines 1-3);

a translator (See Fig. 3, 40; wherein the unit 40 serves the function of the translator) configured to provide said storage address based upon said media block identifier (See col. 9 line 60 – col. 10 line 10);

said transformer thereby enabling retrieval of stored media content based upon said media block identifier (See Fig. 3; col. 9 line 60 – col. 10 line 10).

However, Ottesen does not explicitly disclose that wherein said at least one media block begins with an integral frame.

Ottesen does disclose that the MPEG coding standard is one of many coding techniques that is used (See Ottesen column 7 lines 42-65). Shirakawa et al. (Shirakawa) discloses a system for recording/playback of video using MPEG standards. The video is coded into a plurality of group of pictures (GOPs) or “media blocks” that consists of frames (See Figs. 1a and 43). Each GOP begins with an intra-frame (I-frame) or “integral frame” (See Figs. 1a and 43; column 24 lines 22-37 and column 25 line 30 – column 26 line 30). Therefore, it would have been obvious to one with ordinary

skill in the art at the time the invention was made to modify each of the media blocks disclosed by Ottesen to begin with a "integral frame", as taught by Shirakawa, in order to enable high-speed retrieval and display of any selected image that is recorded on the storage device (See Shirakawa column 6 lines 39-41, column 8 lines 62-63, and column 26 lines 11-14).

Regarding claim 76, said converter (See Fig. 3, 33) input is coupled to the output of an encoder (See Fig. 3, 32) selected from the group comprising: MPEG (See Ottesen col. 7 lines 25-67 and col. 9 lines 26-30), AVI and DIVX.

Regarding claim 77, said media block is addressable by a start time indicator (time code) (See Shirakawa col. 2 lines 15-26).

Regarding claim 78, at least one encoder (See Ottesen Fig. 3, 32) coupled to said transform unit (See Ottesen Fig. 3, 30) to provide media content comprising a time-sequence of digital frames to said media content transformer (See Ottesen col. 7 lines 25-67 and col. 9 lines 26-30; where inherently MPEG encoding provides time-sequence of digital frames).

Regarding claim 79, wherein said transformer (See Ottesen Fig. 3, 30) is configured to transform time-sequence of digital frames into one or more sequential media blocks (See Ottesen Figs. 5 and 6; col. 9 lines 25-45), each of the sequential media blocks comprising data representing a consecutive integral number of digital frames selected from the group comprising full frames and delta frames (See Ottesen col. 7 lines 42-65 and col. 9 line 66 – col. 10 line 38; the segments contain

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consecutively ordered full-motion video encoded with MPEG standard where the digital frames are selected from I-frames and P- and B-frames).

Regarding claim 80, each media block begins with a whole frame (an I-frame is a whole frame) (See the rejection of claim 75).

Regarding claim 81, a storage manager (See Ottesen Fig. 3, 40; wherein the unit 40 serves the function of the storage manager) for determining a storage address (address table and physical storage location) for each of the sequential media blocks (See Ottesen col. 10 lines 1-3);

a storing processor (See Ottesen Fig. 3, 40; wherein the unit 40 serves the function of the storing processor) for storing each sequential media block at the storage address determined by said storage manager (See Ottesen col. 9 line 60 – col. 10 line 10).

Regarding claim 82, said converter (See Ottesen Fig. 3, 33) input is coupled to the output of an MPEG encoder (See Ottesen Fig. 3, 32; col. 7 lines 25-67 and col. 9 lines 26-30).

Claims 83-85 and 87 contains the limitations of claims 77-79 and 75 respectively and is analyzed as previously discussed with respect to those claims.

Response to Arguments

5. Applicant's arguments with respect to claims 75-87 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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